THE TIMES.

A. H. CLEMENT EDITOR.

WEDNESDAY, NOV. 21, 1906.

Now that Mr. Roosevelt has said and we believe he means just what he says, that he will not be a candidate for re-election, the question as to a successor becomes interesting. Hughes has leaped into prominence and Taft seems always on hand. Cannon having been returned to Congress by an increased majority no doubt hears the buzz of the bee. The Democrats can beat either one of them, that is if an insignificant minority does'nt insist on ruin or rule.

Anti-Hearst folks had a fit when they learned that Chicago had gone 'agin' Hearst, and now all Chicago has a fit because a negro has been elected to preside in one of her courts. The problem widens, and broadens, and deepens. Chickens are at home and roosting low. The white Republicans of Chicago are urging the negro to decline the honor and the negroes are urging him to stick. We will watch the outcome with wide-awake interest.

The people of the State will not be the least bit satisfied with the investigation of the Eastern Hospital. The members of the committee seem to be moved by passion rather than sober reason and their widely differing conclusions are without weight. Let the committee be discharged from further consideration of the subject and a new one designated for the very important work.

Mr. Roosevelt, as he was leaving the wharf at Washington for his visit to Panama, saluted some friends who were standing on the shore with the remark, "I am going to look after the digging of that ditch." Better for Mr. President to stay at home and look after the mending of the highways of your own country. There is reason in the one course and foolishness in the other.

"Use the spittoons" was the notice we read recently on the walls of a United States post office building for, as was added "spitting on the floor is a menance to good health." Isn't the use of the Spittoon just as much of a menace? Remove them and enforce rigidly the anti-spitting laws that are openly and defiantly broken.

The President telegraphed his congratulations to young "Nick" and concluded by saying, "we seem to have done well all along the line." This may be true from his standpoint, but he cannot satisfy himself that he does well in shutting the door of the Cabinet and of the Supreme Court in the face of the entire South.

There was a money stringency in Wall Street and the Secretary of the treasury went to the relief of the gauntless. There always is a money stringency among the farmers and there has never been a suggestion of Government relief. Of Wall Street, by Wall Street and for Wall Street is the new version.

Say what you will about the yellowishness of Hearst's New York paper but those who read them will agree that its Sunday editorials are of high order of merit. They are secular sermons pregnant with restraining and at the same time uplifting power.

Mr. Hughes was a useful citizen in the private walks of life, but mark the prediction, he is going to leave the Governor's office in disfavor. Weaver yielded to his environments. "Lead us not into temptation" is a God-given form of prayer.

The wonder is that Mr. Bryan would ever want to be candidate again. He is too much of a world-character to be cribbed and confined within the narrow limits of a party platform.

Mr. Roosevelt may be as ready to defy third-term president as he was the law which forbids a President going to foreign territory during his term of office.

With Hearst out of the race Bryan has the right of way, but there is the Richmond Times-Dispatch obstructing the track and how can he hope to win?

Moody on the bench means no income tax, the most righteous form of tax known to man.

Send your job work to the TIMES.

Evergreen.

After a silence of three weeks I will give you a few items.

Since last I wrote our community has been saddened by the death of our beloved physician Dr. J. H. Abbitt. Dr. Abbitt had many friends at Evergreen who lament his untimely death, yet we believe he is in the "land where partings are not known."

Mrs. Edmond Cawthorn and sisters Misses Mazie and Alma McDearmon were in the Hill City recently.

Mr. and Mrs. J. C. Jennings, of Roanoke, have been visiting her parents Mr. and Mrs. J. D. Cawthorn, of this place.

Mr. E. H. Cawthorn was in Lynchburg Monday.

Miss Odelle Inge is the guest of Mrs. Joe Inge this week.

Mr. J. D. Cawthorn spent a few days in Roanoke last week, as the guest of his daughter Mrs. John C. Jennings.

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The Kind You Have Always Bought

Bears the Signature of Chas. H. Fletcher.

Make Your Idle Money Earn You Interest.

Write the First National Bank of Richmond, Virginia for information concerning its certificate of deposit, so arranged that one per cent may be collected every four months through your nearest bank or store.

Our experience proves this form for savings to be the most satisfactory plan yet devised for deposits of $100.00 or more.

Our Capital and earned Surplus is

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Your business respectfully solicited.

CHEAP JEWERLY

is the most costly. We try to give 100 cents of value for every dollar spent with us. Not how little, but how much we can give for your money is our endeavor

BUCHANAN & SON,

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WHEN YOUR EYES GIVE YOU TROUBLE

You should give them the best attention possible. Have them examined only by those who thoroughly understand the different methods of examination. The adjusting of Spectacles and Eye-Glasses is no child's play and unless properly executed, will often lead to bad results.

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Spectacles and Eye-Glasses make a Handsome Present.—Mail Orders, Receive Prompt Attention.

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We want every man and woman in the United States to know what we are doing—we are curing Cancers, Tumors and Chronic Sores, without the use of the knife, and are endorsed by the Senate and Legislature of Virginia.

If you are seeking a cure, come here and you will get it.

We guarantee our Cures.

The Kellam Cancer Hosp'

Richmond, Va

WHY A FARMER SHOULD KEEP A BANK ACCOUNT.

Farmers as a rule do not keep books of accounts. Their accounts therefore, on the ledger of a bank will afford them a complete record of all their important transactions, involving the payment or receipt of money. A cancelled check, when returned by the bank, at the end of the month, constitutes the safest receipt one can have for showing the payment of money. Paying a laborer, a store account, or any other bills, with a check drawn on a bank, is safer than using money: because the person receiving the check must endorse it and the check should be preserved as a receipt.

Money deposited in a bank is not so easily or so often "Fooled away" as when carried away in ones pocket. Try the experiment for one year of keeping a bank account and see if it does not pay you.

A large number of the most reliable farmers, in this section, have accounts with us. We are very desirous of having the accounts of farmers on our books and we will be glad to furnish, at any time whatever information we can in regard to the subject of banking.

The persons who open accounts with us we furnish check books free of cost.

When you are in Lynchburg call in and inspect our new banking room.

American National Bank
Lynchburg, Va.

Capital $150.000 – Undivided profits $30000.

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LYNCHBURG'S GREATER STORE---

Two Most Attractive Departments For the Gentler Sex:

Never have we met with such an enthusiastic success on the occasion of our Opening of AUTUMN HATS AND MAN-TAILORED SUITS.

Over 500 new suits for your approval.

Our supremacy in these two departments has made it quite the proper thing to say—

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T. A. Smith & Co.,

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Heating and Cooking Stoves, Furniture and Mattresses.

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Money at 6%

$100
$200
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Manufacturer of and Dealer in

Sash, Doors, Blinds and Building Material,

Framing, Flooring, Ceiling, Siding, Weatherboarding, Laths, etc

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We sell Extremely Fine Made Clothes at Popular Prices. Clothes that have wear resisting qualites, that you can depend upon.

Our Shape Retaining Sack Suits.

New English Worsted and Cheviots, Gun Metal Grays, Black Thibets and Unfinished Worsteds, made in the New Lengths with the latest Collar and Lapels, Single or Double-Breasted such as you have not had the pleasure of seeing ready-to-put-on. We have have added an up-to-date Shoe Department for MEN.

Leftwich, LeGrand & Watts,

CLOTHING, SHOES, AND HATS, FOR MEN and BOYS.

820 MAIN STREET, - - - - LYNCHBURG, VA.

To Cure a Cold in One Day

Take Laxative Bromo Quinine Tablets.

Seven Million boxes sold in past 12 months. This signature, E. W. Grove on every box. 25c.

Cures Grip in Two Days.

THE PEOPLES NATIONAL BANK,

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J. W. IVEY, President. JNO. D. LANGHORNE, Vice-President.

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Capital Stock	$250 000.00
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Accounts of Firms, Corporations and Individuals Solicited.

Interest paid on Time Deposits at the rate of THREE PER CENT per annum.

Own a Bank Book!

They Cost Nothing

State Bank of Pamplin,

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An up-to-date Bank for up-to-date People

$5.00 starts an account.

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In Your Banking connections? If you do, give us a trial. Satisfaction guaranteed. Courtesy, promptness and reliability are what you will find in dealing with us all and more.

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When in Lynchburg GO TO BURFORD'S for everything in Dry Goods, Millinery, Ladies Suits, Cloaks and Wraps. Cheapest Store in the City Best Goods for the Least Money.

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WILL WHITE DRY GOODS Co. INC.

The Corner Store

1101 Main St. — Lynchburg, Va.

We hold these prices until the next change of our advertisement.

Ladies Ready to Wear Garments and Millinery.

... Ladies Cloaks...

$5.00	Ladies Cloaks	$3.98
6.50	" "	4.98
7.98	" "	6.47
10.00	" "	7.98
12.50	" "	9.98

Childrens Cloaks from $1.50 up.

MILLENERY Well don't mention it. Remember WE PAY FREIGHT on all purchases amounting to $5. 00 and over within 50 miles of Lynchburg.

Shoes

$2.25	Ladies Roxy Ward Tan	$1.69
2.25	Runaway Girl small sizes	1.47
2.00	Society Girl vici	1.50
1.50	Box Calf	1.19
Childrens Shoes from .50c to $2.50		
4.00	Americus vici	2.98
3.50	Americus chocolate tan	2.47
3.50	Chesterfield Patent Leathers	2.69.

All Samples thirty-three and one-third per cent. We are agents for the Barry & Selby Shoes for men and women.

WILL WHIT DRY GOODS Co.
Lynhhburg, Va.

PAMPLIN'S

Tobacco Market.

Opening Sale SEPTEMBER 4th.

The Farmer's Warehouse is now open for the sale of leaf tobacco, and a hearty welcome, and best market prices are assured, for all our old and new friends who patronize PAMPLIN'S TOBACCO MARKET more orders and more buyers than last year. Bring your tobacco and be convinced.

Very truly yours,

CHAS. HINDLEY, Prop. Pamplin City, Va.

ROBERT G ROBERTSON. J F PUGH

Walter S. Fore & Co.

Lynchburg's Leading Leaf Tobacco Commission Merchants,

PACE'S W'REHOUSE

We are leaders in number pounds tobacco sold, we are prepared to prove this assertion even if others are advertising in big type "LEADERS."

We claim to sell tobacco as high as any house in town. Our books are open to comparison with any concern as to prices.

Hard work, polite attention, prompt returns, and at all times the highest market prices we can promise no more, we shall give you no less.

W. Elmer Bass & C. R Moorman, Auctioneers; A. D. Perrow, W. C. Harvey, T. Pugh warehouse men; J. F. Pugh, cashier; G. H. Lavinder, clerk.

Sales conducted personally by Robert G. Robertson.

Sell your tobacco with Lynchburg's leading warehouse, PACES.

Your friends. WALTER S. FORE & CO.

CHEW Grape TOBACCO

YES! GRAPE TOBACCO

is just a little sweeter than any of the so-called sun-cured plugs made to imitate GRAPE, and they are all imitations—

WHY?

because that rich, sweet flavor is peculiar to the genuine Leaf, and we have been buying and manufacturing it for over fifty years.

IT IS MADE BY A FIRM THAT KNOWS HOW

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Largest, Best Lighted, Best Located and Best Equipped Warehouse in Farmville. All tobacco has our personal attention. Warm Stall; Lock Rooms for Harness.

Send your tobacco to the Star and you will be pleased.

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LATEST MACHINERY AND BEST TOOLS EMPLOYED IN MY WORK.

SATISFACTION GUARANTEED AND WORK TURNED OFF WHEN PROMISED

My terms are reasonable. Your patronage solicited.

GEORGE L. AUSTIN, Appomattox, Va.

Mrs. Sallie Abbitt is in the village.

See the Fleenor advertisement of furniture.

Mr. Leonard Gregory is out again after a long spell of sickness

Mrs. Annie Bledsoe is visiting her daughter Mrs. A. H. Clement here.

Mr. and Mrs. Mathewson have returned from a visit to Mrs. Mathewson's parents.

Mr. C W. Hancock has about completed his handsome new residence here, and has moved in.

Mrs. R. K. Purdum and granddaughter, Miss Lena, are visiting relatives in Danville.

Rev. G. S. Kennard, who attended the Baptist Association in Richmond, returned home Saturday

Mrs. Thomas Harvey returned yesterday from a visit to her daughter in Bedford.

Miss Kate Cheatham returned [illegible] morning from an extended visit to friends in Campbell county.

As we went to press with our last issue we had snow on the ground today it looks as if it might be spring time.

There will be services at Union church next Sunday morning at 11:30 and Marsh's schoolhouse, near Oakville Sunday night at 7.30.

Don't forget the big sale of the stock of goods, at Wildway on Nov. 30th by S. P. Taylor. J. L. Chernault auctioneer.

The Anti Saloon League of Va. will hold its 6th Annual Convention at Charlottesville on Dec. 4, 5 and 6. All railroads will grant reduced rates.

Mrs. J. R. Snoddy, of Red Springs N. C., has been on a visit to Mrs. Dabney Anderson of this county. She leaves today for Kentucky where she will spend the winter.

Mr. Edwin Lucado will be married to-day to Miss Kate Ann Lucado. The parties are well and favorably known in this county and have the best wishes of a large circle of friends.

We notice that the Lynchburg Police Board have selected two of our good former citizens as guardians of the Hill City. Messrs. Libe Woolridge and A. O. Blackwell There are other Appomattox boys on the police force and they always show devotion to duty when the command is given.

A few days ago while Mrs. Thos Harvey was attending to the milking of her cows, she discovered a very large buck among the cattle which attracted the attention of the family. The deer walked about with the cattle until Mr. Harvey [illegible] away for nearly a mile and got [illegible] and killed it.

SAVED MY LIFE

—That's what a prominent druggist said of Scott's Emulsion a short time ago. As a rule we don't use or refer to testimonials in addressing the public, but the above remark and similar expressions are made so often in connection with Scott's Emulsion that they are worthy of occasional note. From infancy to old age Scott's Emulsion offers a reliable means of remedying improper and weak development, restoring lost flesh and vitality, and repairing waste. The action of Scott's Emulsion is no more of a secret than the composition of the Emulsion itself. What it does it does through nourishment--the kind of nourishment that cannot be obtained in ordinary food. No system is too weak or delicate to retain Scott's Emulsion and gather good from it.

We will send you a sample free.

Be sure that this picture in the form of a label is on the wrapper of every bottle of Emulsion you buy.

SCOTT & BOWNE Chemists
409 Pearl St., N. Y.
50c. and $1; all druggists.

Mrs. Dabney Anderson is visiting in Lynchburg.

The Annual Methodist Conference which met in Portsmouth, Va., has adjourned, and we are pleased with the return of our pastor Rev. Mr. Murphy.

Mr. Chas. T. Evans will be married to-day to Miss Imogen Clarke, daughter of Mr. J. L. Clarke, a prominent farmer in this county, Mr. Evans is the senior member of the mercantile firm of Evans and Cheatham, Evergreen. Both of the parties are prominently connected and have a wide circle of friends.

Jennings—Cawthorn.

On Wednesday November 14th, the home of Mr. J. D. Cawthorn was the scene of a pretty marriage, when his daughter, Miss Ella Cawthorn became the bride of Mr. Samuel Jennings. The parlor was beautifully decorated, while the lights cast a soft glow over all. promptly at twelve o'clock, to the strains of the 'Wedding March' played by Mrs. Willie Brightwell of Pamplin, the bridal party entered the parlor. First came Misses Alice Cheatham and Clare Ferguson, wearing white dresses and ribbons each carrying a lighted candle. The bride, who was tast-fully dressed in a gray cloth suit, with hat and gloves to match, carrying a lovely boquet of carnations and ferns, entered with her maid of honor, Miss Mary Hamilton, who also wore a gray suit with hat and gloves to match. The groom entered with his best man, Mr. Hector Cawthorn. The Rev P. T. Warren, in a very impressive manner performed the ceremony. Immediately after the ceremony they went to the station, where amid many congratulations and showers of rice, they boarded the west bound train for a trip to Columbus, Ohio.

The bride, who is a very attractive young lady, has a wide circle of friends, who wish her much happiness. The groom is a promising young conductor for the N. & W. Ry.

A Reliable Remedy for Croup.

Mrs. S. Rosinthal, of Turner, Mich says: "We have used Chamberlain's Cough Medicine for ourselves and children for several years and like it very much. I think it is the only remedy for croup and can highly reccomend it." For sale by

Sold by J R. Atwood, Appomattox; R J. Carter, Prospect; E. F. Glover, Evergreen.

plaintively remarks the Harrisonburg Va., Times. In other words, it's a long time between turkeys.

A Good Liniment.

When you need a good reliable liniment try Chamberlain's Pain Balm It has no superior for sprains and swellings. A piece of flannel slightly dampened with Pain Balm is superior to a plaster for lame back or pains in the side or chest. It also relieves rheumatic pains and makes sleep and rest possible.

For sale by J. R. Atwood, Appomattox; R. J. Carter, Prospect; E. F. Glover Evergreen.

The big closing out sale at D. W. Myers is still in progress. You can't afford to miss it. His new fall stock is being opened up daily and is sold at cost. The reason for doing this is Mr. Myers is going to retire from the clothing business and is making prices to move the stock. They will not last long at the prices he is putting on his entire stock The time to buy is now. The place is, D. W. Myers, 828 Main Sreet, Lynchburg, Va. The reason is prices are at and below cost. Goods marked in plain figures.

A New York man found a tomahawk the other day 'in a peculiarly perfect condition.' Possibly the one Tammany used on Mr. Hearst.

Heirs Wanted.

William Jones was born near Lynchburg, Va., came to Mississippi some time before the Civil War. Very little is known of his family there; his father was named George, a brother by the same name; there were one or more sisters, names not known; the father was twice married; His wives names not known; the father died before the war, at that time the brother was married. If there is any one who can give any information about him, or any heirs living, please communicate with the editor of this paper, and they will hear something to their advantage.

22-10-06

Notice.

The public is hereby warned not to hunt or in any way trespass on our lands under pain of the full penalty of law.

C. N. ABBITT, 2 miles east of Appomattox Depot.

T. J. COLES, 2 miles east of Appomattox Depot.

W. J TRENT, 2 miles east of Appomattox Depot.

MRS. G. A. COLEMAN, between Mt. Cut and Appomattox Depot.

Dr. W. H. ABBITT, one mile east of Appomattox Depot.

C. S. CAWTHORN, 4 miles south of Evergreen, Va.

Other names will be added to this list and printed throughout the hunting season for 50 cents cash.

The TIMES for news.

CIRCUIT COURT ADJOURNS.

A. H. Clement is fined $100.

Circuit Court adjourned Thursday evening after a busy term.

The following grand jury attended:

Milton Isbell, J. R. Atwood, W. H. Childress, J. W. Durrum, J. A. Stratton, N. R. Featherstone, H. G. Harding, J. D. Bondurant, C. H. Coleman, E. E. Chism and T. O. Davidson. The following indictments were returned:

A. H. Clement, felony; true bill.

James McCoy, felonious shooting; true bill.

Alex. Semmons, felonious assault; true bill.

Alex. Semmons, felonious cutting true bill.

All of the cases were continued except that of A. H. Clement, who asked for an immediate trial. The following cases were also continued: Wilbur, James and Dave McCoy, James Hancock and Homsey Lewis.

Com. vs Douglas Mason, appeal from Mayor's decision of Pamplin City; dismissed on grounds of unconstitutionality of charter of said town.

Chas. Hindley took out noteralization papers.

Court refused to grant petition of Mrs. Lula Hunter for reduction of the assessment of her land in the village. Later the order was set aside and the application continued to next court.

The court appoints Dr. J. B. Abbitt a member of the county medical board.

Com. vs A. H. Clement; first indictment with drawn. Grand jury resumed session and reported true bill for felonious shooting with intent to kill.

Also indicted J. C. Beckham on nine indictments for selling liquor, and Willie White, one indictment for selling liquor.

Joseph R. Case was relieved from the payment of taxes erroneously assessed against him.

Haden vs Cardwell, appeal from Justice Moses; Attachment quashed and Cardwell given possession of mule.

Muster Roll of Company H. 22nd Va. Cavalry ordered recorded.

Walter Payne and W. J. Paris were appointed special policemen—the former for Pamplins and the latter for Appomattox.

The following jury was empanelled to try the case against A. H. Clement:

W. T. Caldwell, L. R. Richardson, J. R. Lee, Otis M. Gilliam, G. E. Drinkard, T. A. Caldwell, Wm. E. Dickerson, J. N. Woolridge, R. E. Whitaker, Geo. D. Wilkerson, E. M. Drinkard and Walker Harvey.

Mr. A. E. Strode, who appeared for Mr. Clement took the ground that he had been tried and fined for the offense; Court over ruled and exceptions noted. Judge Wm. Smith, of Cumberland and Congressman H. D. Flood prosecuted the accused vigorously. The Congressman appearing as a witness on the stand, adviser, and finally closing the argument. Mr. Hubbard, who prosecuted at the Magistrate's court was detained at home by the illness of his wife.

The witnesses for the Commonwealth appeared to be as follows:

R. E. Haga, T. B. Carson, J. R. Horsley, T. J. Stratton, J. P. Alvis, S. L. Ferguson, W. F. Wright, O. L. Haga, J. J. Durrum, W. A. Moses, R. C. Mann, J. C. Jones and Tom Ferguson.

Witnesses for the defence were Ellis Simms, Robt. Furbush, Raleigh Chilton and Frank Jones. The accused has never denied the shooting and stated then and does so now that if ever a man had a right to shoot another he (Clement) had the right to shoot Ferguson.

S. L. Ferguson testified substantially as follows: Well C. has been living in house I purchased. Moses, Flood and myself bought house. I afterwards bought it. I decided to move down this fall to village. C's time was out by contract on last day of September. I let him know that I intended to move down and wanted to make repairs. I asked privilege of looking through house Mr. and Mrs. C. did not respond very graciously. About 1 p. m. Haga came and we went over to house. Went through front office to back room and were talking about putting in bay window. C. came down stairs and said he had a box of glass on hand which would fit the windows and if you will take it you will save me trouble of sending it back. "I'll take it," there is one out I have had to put in several times said C. Haga remarks there are two others broken. I asked Haga if it was not a stiff proposition for him to offer to sell me glass that he C. had broken out. I was in good humor. When C. returns from up stairs where he went to get bill of glass. I said, "Buck don't you think it a stiff proposition to want to sell me glass you have broken out?" He threw his head back and said, no I'm leaving house in a better condition than I found it. I said I think I could make you by law replace this glass you have broken. C. replied he would like to see me make him do something. The glass was sitting by me; well, I think I will make you do it this way. I'll take this box of glass and let Mr. Haga put in those you have broken out. I know I was deliberate, not fretted, or serious, took glass in my hand and was talking. C. followed me up and took hold of my coat or sleeve and said, let that glass alone and get out of here I turned and took hold of his lapel and said, suppose you get out of here your time is out. I pressed him along towards the front door. He then locked both hands around a printing press and I didn't press him further. He threw his hands in my face, I slapped at him and pressed him back to table. He hollered, "let me go," I told him I could kill him but I would not do it unless you give me cause. I then tapped him on the left brow: I then said I'll let you go; this is not the way to settle things. This is like child's play.

I took those glass and pushed them back and told him to take his glass and get out as soon as he could. My idea was to go back in the room and finish with Haga. C. was looking in a draw. He remarked "I guess that's what pinches you any how." He pulled the pistol out of the draw. I said now you shoot all you want to—you're not going to shoot anybody. He wiped pistol off and then took it in his hand and made four or five flourishes; I thought over it—I thought I would rush on him, but a second thought came to me—that it was even dangerous for me to stand there—that it might go off even when he didn't intend to shoot. I said I've got no arms and if that's your game I'll get out; I heard report of pistol in rapid succession; I looked back after second shot; I think he was coming down the third time; he shot through door at me; he was behind door; my back was to him each time he shot. I think I was about stepping off porch when second shot was fired; I had no idea he was going to shoot I looked and saw a crowd; I came across road and trotted up bank. I walked ordinarily across public road. Saw Horseley, asked if he had gun or pistol; when I asked Rolf for pistol, thought C. heard me for he, C came back with gun. I said you gentlemen take such steps as you like. It was not over two and a half minutes from the time of fight before he shot. I don't believe C would have shot me until now if I had stood there. He was talking and flourishing pistol. I was thinking about going back into other room.

Cross examination—Did C curse you in office? I think you used "turn me loose scoundrel." You did not curse me. I said I don't think I would have to make you do anything if you entertained the ideas of a gentleman about it. Both said things we ought not to have said.

Clement's statement:

Ferguson and Haga came over to my office at noon hour, while all my employees were at dinner, I heard some one in my back office and I went down and found F. and H. Greeted them pleasantly. F. said he was making estimate on bay window. I told him I had a box of glass which would fit the windows and he ought to buy it. He said he would take it I went up stairs to get the bill of the glass; when I came down he said to me, "its a pretty stiff proposition to ask me to put in glass you have broken out." I replied that I had spent all the money I intended to spend on the house and that it was in better condition than it was when I moved into it. He said "I will make you put them in this way" and picked up the box of glass and started off; I told him to put down my glass and get out of my office, when he whirled upon me, catching me in the collar and rushing me back over a large table, there holding me down, choking and beating me until the blood flowed from my face, then gathered me and carried me across the room to the door in an attempt to throw me out; at this point I locked my arms around the iron frame of a printing press and he was prevented from throwing me out. He then walked to door of back room, and as soon as possible, after he let me go, I pulled out the draw and got my pistol. He then made a lunge towards me, [which was also in direction of door] and I fired the pistol without raising it to take aim, thinking, he was almost on me again. The pistol was not a double-action make and had to be handled with both hands in order to spring it, and with blood in my eyes I could not say whether the shot passed in front or behind him as he rushed by me. I then stepped in the door expecting to meet him, but found him going from me and I raised the pistol purposely and the ball went into the ceiling. I could have shot him without doubt then if I had not raised my hand. He did not have his back to me when I shot, but he did have me from behind when he attempted to put me out of my office.

The jury fined the prisoner $100 which carries cost and will altogether amount to over $200.

Counsel moved the court to set the verdict aside and grant a new trial, which motion will be argued next court day.

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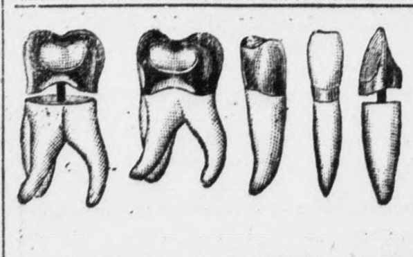

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